

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
WYETH,)	
)	Civil Action No. 06-663 (SLR)
Plaintiff,)	
)	
v.)	
)	
CORDIS CORPORATION,)	
)	
Defendant.)	
_____)	

STIPULATION AND ORDER

WHEREAS, defendant has filed Cordis Corporation's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) or, in the Alternative, to Dismiss or Stay this Action Pending Resolution of the Co-Pending Action in the Delaware Court of Chancery (the "Motion") (D.I. 8), and such Motion is fully briefed;

WHEREAS, in June 2007 the parties notified the Court that they were actively engaged in settlement negotiations; and

WHEREAS, the parties continue to actively engage in negotiations that could lead to a mutual agreement to settle this matter;

IT IS HEREBY STIPULATED by the parties, subject to approval of the Court, that:

1. The defendant hereby withdraws its Motion without prejudice while settlement discussions between the parties are ongoing; and
2. The defendant shall have the right to re-file the Motion without prejudice should the settlement negotiations between the parties not result in an agreement to settle this action.

<p>MORRIS, NICHOLS, ARSHT & TUNNELL LLP</p> <p><u>/s/ Jack B. Blumenfeld (I.D. #1014)</u> Jack B. Blumenfeld (I.D. #1014) Rodger D. Smith (I.D. #3778) Richard J. Bauer (I.D. #4828) 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899 (302) 658-9200</p> <p>- and -</p> <p>WILMER CUTLER PICKERING HALE And DORR LLP William F. Lee 60 State Street Boston, MA 02109</p> <p>WILMER CUTLER PICKERING HALE And DORR LLP Thomas F. Connell William G. McElwain Amy Kreiger Wigmore Tracey C. Allen 1875 Pennsylvania Avenue, NW Washington DC 20006</p> <p><i>Counsel for Plaintiff</i></p>	<p>ASHBY & GEDDES</p> <p><u>/s/ Richard L. Renck (I.D. #3893)</u> Lawrence C. Ashby (I.D. #468) Steven J. Balick (I.D. #2114) Richard L. Renck (I.D. #3893) 500 Delaware Avenue, 8th Floor P. O. Box 1150 Wilmington, DE 19899 (302) 654-1888</p> <p>- and -</p> <p>Gregory L. Diskant Michael J. Timmons Irena Royzman PATTERSON, BELKNAP, WEBB & TYLER LLP 1133 Avenue of the Americas New York, New York 10036 212-336-2000</p> <p><i>Counsel for Defendant</i></p>
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Date: August 23, 2007

SO ORDERED this ____ day of August, 2007.

District Judge Sue L. Robinson